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CERTIFIED COPY



07-2-12633-9 29201644 ORGSJ 02-19-08

FILED
DEPT. 10
IN OPEN COURT

FEB 15 2008

Pierce County Clerk
By [Signature]
JUDGE D. GARY STEINER
Department 10
Noted For: February 15, 2008

STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

DOUGLAS TOBIN,

NO. 07-2-12633-9

Plaintiff,

ORDER GRANTING DEFENDANT
STATE OF WASHINGTON'S
MOTION FOR SUMMARY
JUDGMENT

v.

STATE OF WASHINGTON and
PIERCE COUNTY,

Defendants.

THIS MATTER having come before the Court on the motion of defendant
State of Washington, for summary judgment dismissal pursuant to Civil Rule 56 and the
defendant being represented by its attorneys of record, Robert M. McKenna, Attorney
General, and Assistant Attorney General Patricia C. Fetterly and the plaintiff appearing
by ~~and through~~ ^{his attorney Kenney S Kesslee} and the Court having considered the records and files herein,
including:

1. Declaration of Charles Pudwill with Exhibits A-D;
2. Declaration of William Jarmon Jr. with Exhibits A-C;
3. Declaration of Tom L. Moore with Exhibits A-I;

ORDER GRANTING DEFENDANT
STATE OF WASHINGTON'S MOTION
FOR SUMMARY JUDGMENT

ATTORNEY GENERAL OF WASHINGTON
Torts Division
7141 Cleanwater Drive SW
PO Box 40126
Olympia, WA 98504-0126
(360) 586-6300

12024 2/20/2008 00052

1 4. Declaration of Stacey M. Tobin with Exhibit A;

2 5. Declaration of Patricia C. Fetterly with Exhibit A;

3 and the Court being fully advised in the premises;

4 NOW, THEREFORE, IT IS HEREBY

5 ORDERED AJUDGED AND DECREED that defendant's State of Washington Motion
6 for Summary Judgment is GRANTED and the plaintiff's complaint is hereby dismissed with
7 prejudice as to defendant State of Washington.

8 DONE IN OPEN COURT this 15 day of February, 2008.

9
10
11 THE HONORABLE D. GARY STEINER
12

13 Presented by:
14 ROBERT M. MCKENNA
15 Attorney General

16 Patricia C. Fetterly
17 PATRICIA C. FETTERLY WSBA#8425
18 Assistant Attorney General
19 Attorney for State Defendants

20 Approved as to Kevin Stock
21 Form Kenneth Skessler # 4721

22 STATE OF WASHINGTON, County of Pierce
23 ss: I, Kevin Stock, Clerk of the above
24 entitled Court, do hereby certify that this
25 foregoing instrument is a true and correct
26 copy of the original now on file in my office.
IN WITNESS WHEREOF, I hereunto set my
hand and the Seal of said Court this
day of FEB 12, 2008

Kevin Stock
Clerk

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ORDER GRANTING DEFENDANT
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